

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Dwayne J. Hopkins

Docket No. 2:15-CR-8-1BO

Petition for Action on Probation

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dwayne J. Hopkins, who, upon an earlier plea of guilty to Lacey Act Trafficking Violation, in violation of 16 U.S.C. § 3372(a)(1), 16 U.S.C. § 3373(d)(1)(B), and 50 C.F.R. Parts 697.7(b)(1), (2), (3), and (4), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 23, 2017, to 3 years probation under the conditions adopted by the court.

On September 21, 2017, a Petition for Action was submitted to the court after the defendant tested positive for cocaine use on September 15, 2017. As a sanction, the conditions of probation were modified to add participation in the DROPS program and substance abuse treatment.

On November 7, 2017, a DROPS Sanction Report was submitted to the court after the defendant tested positive for cocaine use on October 20, 2017.

On December 22, 2017, a Violation Report was submitted to the court after the defendant failed to report for his scheduled jail sanction. He was rescheduled and completed his 5 day sanction on January 31, 2018.

On May 31, 2018, a Motion for Revocation was filed advising that the defendant violated his conditions of probation by: 1) Failure to participate as directed by the probation officer in a treatment program for narcotic addiction, drug dependency, or alcohol dependency, 2) Failure to perform community service, 3) Failure to report to the probation officer as directed by the court or probation officer, and 4) Leaving the judicial district without the permission of the court or probation officer. On August 13, 2018, the court denied the motion for revocation, continued supervision, and extended the probation term for a period of 6 months, from August 22, 2020 to February 22, 2021.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 14, 2018, the defendant submitted to urinalysis screening, and admitted to using cocaine on December 12, 2018. As a result of a prior positive urinalysis, on September 21, 2017, the defendant was directed to participate in the DROPS program. However, at this time, it is respectfully recommended that the DROPS sanction be removed, in order to allow the defendant to participate in Substance Abuse Intensive Outpatient Treatment through DREAM Provider Care Services. It is further recommended that the defendant be placed under a curfew for 30 days.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam
Melissa K. Gonigam
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: (910) 346-5103
Executed On: December 20, 2018

ORDER OF THE COURT

Considered and ordered this 20 day of December, 2018, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
Chief United States District Judge